

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

DENNIS W. VAUGHAN,

Petitioner,

v.

Civil Action No. 5:07CV51  
(STAMP)

UNITED STATES OF AMERICA,

Respondent.

**ORDER DENYING PETITIONER'S REQUEST FOR A HEARING  
AND GRANTING PETITIONER'S MOTION FOR  
EXTENSION OF TIME TO FILE OBJECTIONS TO  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

On April 18, 2007, the pro se petitioner, Dennis W. Vaughan, filed an application for habeas corpus pursuant to 28 U.S.C. § 2241. The case was referred to United States Magistrate Judge James E. Seibert for submission of proposed findings of fact and recommendation for disposition pursuant to 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B).

In a letter dated October 30, 2007 and filed with this Court on November 6, 2007, the petitioner requested an informal hearing on the status of his petition. Before receiving the petitioner's request for a status hearing, the magistrate judge considered the petitioner's § 2241 petition and, on October 30, 2007, submitted a report and recommendation that the § 2241 motion be denied and dismissed. Upon submitting this report, Magistrate Judge Seibert informed the parties that if they objected to any portion of the magistrate judge's proposed findings of fact and recommendation for

disposition, they must file written objections within ten days after being served with a copy of the report.

On November 5, 2007, the petitioner filed a letter motion requesting additional time to file his "appeal," which this Court interprets as a motion for an extension of time to file objections to the magistrate judge's report and recommendation. Specifically, the petitioner requests a 30-day extension of time.

Given the circumstances of this case, this Court finds that the petitioner's motion for a status hearing should be, and hereby is, DENIED, and that his motion for an extension of time to file objections should be, and hereby is, GRANTED. The petitioner shall file objections to the magistrate judge's report and recommendation on or before December 14, 2007.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this order to the pro se petitioner and to counsel of record herein.

DATED: November 7, 2007

/s/ Frederick P. Stamp, Jr.  
FREDERICK P. STAMP, JR.  
UNITED STATES DISTRICT JUDGE